

Notice of Allowability

Application No.

10/658,721

Applicant(s)

LAU ET AL.

Examiner

Rodney G. McDonald

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed 1-12-05.
2. ☒ The allowed claim(s) is/are 3-7 and 10-26.
3. ☒ The drawings filed on 09 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RODNEY G. MCDONALD
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Paragraph 1, line 3, after the phrase "PERSONAL ELECTRO-KINETIC AIR TRANSPORTER-CONDITIONER," insert the phrase "now U.S. Pat. 6,632,407,".

The following is an examiner's statement of reasons for allowance:

Claim 3 is allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including the moisture retaining material including a further opening disposed generally in front of the opening of the second electrode.

Claims 4-7 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including the first electrode being located closer to the intake vent than the second electrode; the second electrode located closer to the outlet vent than the first electrode and wherein the moisture retaining material being located between the second electrode and the outlet vent.

Claims 10-12 and 23 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a container retaining at least one small object, wherein vibrations cause the small object to move within the container and generate noise; and a transducer to detect noise and that is generated

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when the small object moves within the container; wherein the ion generator turns-on in response to the transducer detecting noise.

Claims 13-15 and 24 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a container retaining at least one small object, wherein vibrations cause the small object to move within the container and generate force; and a transducer to detect force and that is generated when the small object moves within the container; wherein the ion generator turns-on in response to the transducer detecting force.

Claims 16-18 and 25 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a container retaining at least one small object, wherein vibrations cause the small object to move within the container and generate at least one of noise and force; and a transducer to detect at least one of noise and force and that is generated when the small object moves within the container; wherein the ion generator turns-on in response to the transducer detecting at least one of noise and force.

Claim 19 is allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a moisture retaining material also included in the detachable front member; wherein the detachable front member can be removed from the portable housing to allow the moisture retaining material to be easily wetted; and wherein the moisture retaining material increase the humidity of the air flow exiting the outlet vent.

Claims 20-22 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including the housing including a detachable front member that includes the outlet vent; and a moisture retaining material also included in the detachable front member; wherein the detachable front member can be removed from the portable housing to allow the moisture retaining material to be easily wetted.

Claim 26 is allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including the housing including a detachable front member that includes the outlet vent and moisture holder also included in the detachable front member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
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RM

January 31, 2005